

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-048824-001 SE

06/22/2016

JUDGE M. SCOTT MCCOY

CLERK OF THE COURT  
A. Gonzalez/A. Moore  
Deputy

STATE OF ARIZONA

KRISTIN LARISH

v.

JAMES CLAYTON JOHNSON (001)

ROBERT E REINHARDT  
PETER NMN JONES

CAPITAL CASE MANAGER

**JURY TRIAL / DAY 42 / CAPITAL CASE**

COURTROOM – SCT 5D

State's exhibit 387 is marked for identification.

9:53 a.m. This is the time set for Jury Trial, day 42, continued from 6/20/2016.

State's Attorney:	Kristin Larish
Defendant's Attorney:	Robert E. Reinhardt, and Peter Jones
Defendant:	Present
Court Reporter:	Shayna Montgomery

The proceedings are also digitally recorded.

The Jury is all present.

The penalty phase of Trial continues.

The State calls Dr. Janeen DeMarte. Dr. DeMarte is sworn and testifies.

State's exhibit 386 is received in evidence without objection.

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LET THE RECORD REFLECT the witness identifies the Defendant.

Defense objection re: testimony re: domestic violence is argued at a bench conference.

THE COURT OVERULES the objection.

10:56 a.m. Court stands at recess.

11:19 a.m. Court reconvenes with respective Counsel and the Defendant present.

Court Reporter, Shayna Montgomery, is present.

The proceedings are also digitally recorded.

Dr. Janeen DeMarte resumes the witness stand and direct examination continues.

11:55 a.m. Court stands at recess until 1:15 p.m. for Counsel; and until 1:30 p.m. for the Jury.

1:19 p.m. Court reconvenes with Defendant and respective counsel present. The jury is not present.

Court Reporter: Shayna Montgomery

A record of the proceedings is also made digitally.

A discussion is held regarding jury instructions.

(1:26 p.m.) The jury is present.

Dr. Janeen DeMarte retakes the stand and resumes testimony.

State's Exhibit 387 is received in evidence.

(2:55 p.m.) The jury is excused from the courtroom. Court remains in session.

A discussion is held regarding Defendant's objection to testimony regarding antisocial personality disorder.

(3:01 p.m.) The witness is excused from the courtroom.

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Defendant's Motion for Mistrial is argued. In the alternative, defense counsel moves to strike Dr. DeMarte's testimony.

IT IS ORDERED denying Defendant's Motion for Mistrial.

IT IS ORDERED denying Defendant's Motion to Strike.

3:21 p.m. Court stands at recess.

3:41 p.m. Court reconvenes with defendant and respective counsel present. The jury is not present.

Court Reporter: Shayna Montgomery

A record of the proceedings is also made digitally.

The witness, Dr. DeMarte, is present.

A discussion is held regarding continuing testimony of Dr. DeMarte.

(3:48 p.m.) The jury is present.

Dr. DeMarte retakes the stand and resumes testimony.

4:25 p.m. Court stands at recess until June 23, 2016, at 9:30 a.m.